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Notice of Allowability

Application No.

10/688,547

Examiner

Khanh B. Pham

Applicant(s)

REBER ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed 10/17/2003.
2. ☒ The allowed claim(s) is/are 1-42.
3. ☒ The drawings filed on 17 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Peter Gordon, Applicant's representative, on July 23, 2004.

2. The application has been amended as follows:

In the title:

The title has been replaced with the new title below:

"STORAGE AND RETRIEVAL SYSTEM FOR MANAGING TIME-BASED MEDIA
DATA"

In the claims:

- Claim 37, line 4, --"wherein is clip"-- has been changed to --"wherein each clip"--.
- Claim 38, line 8, --"wherein is clip"-- has been changed to --"wherein each clip"--.
- Claim 39, line 11, --"wherein is clip"-- has been changed to --"wherein each clip"--.
- Claim 40, line 15, --"wherein is clip"-- has been changed to --"wherein each clip"--.

In the Abstract:

The abstract has been replaced with the new abstract. (See next page)

Abstract

A system for the management of relational information between media sources, which includes a plurality of procedures to set and query the information. Relations are established either via interaction with the sources or by user's specifications. Further the invention provides for the separation of information concerning source relations, actual media stored for these sources, and binding of media to specific needs for the media within the system. Moreover the invention involves a method of determining media data associated with requests based on source identifiers and range specification on the source including: reading media data from disk and building a database of the location of said media, allowing for the creation of other media, using the system of relational information to build a table of source relations, accepting requests for media data, locating the media based on known existing media and queries for other sources related to the range requested, returning an identifier known to the system to the requester, and accepting requests for information about and access to the actual media data specified by the identifier.

Terminal Disclaimer

3. The terminal disclaimers filed on 7/6/2004 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S Patent numbers 5,267,351, 5,584,006, 6,061,758 and 6,636,869 have been reviewed and are accepted. These terminal disclaimers have been recorded.

Priority

4. Applicant's claim for priority under 35 U.S.C. 120 is acknowledged. Accordingly, the effective filing date of this application is the same as the earliest filing date in the line of continuation applications, which is December 22, 1989.

Allowable Subject Matter

5. Claims 1-42 are allowed.

6. The following is an examiner's statement of reasons for allowance:

Regarding independent claims 1, 6, prior art of record do not teach the combination of the claimed elements including "storing and maintaining information relating first and second media data from first and second time range of media data, wherein at least a portion of the first time range and a portion of the second time range overlap" as claimed.

Regarding independent claims 11, 23, prior art of record do not teach the combination of the claimed elements including: "receiving an edited sequence of clips defining a media program, wherein each clip includes information referencing time-based media data and a time range in the time-based media data to be used by the

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clip; identifying a media data file including media data referenced by the clip and accessing the media data file” as claimed.

Regarding independent claims 35-36, prior art of record do not teach the combination of the claimed elements including: “accessing relationship information that associates time-based media data to identify equivalent time-based media data using the information identifying the time range in the time-based media data; and returning information identifying the equivalent time-based media data and a time range” as claimed.

Regarding independent claims 37-40, prior art of record do not teach the combination of the claimed elements including: “each clip is linked to a data file that stores the referenced time-based media of a first quality; and relinking each clip to a different media data file that stores media data of a second quality” as claimed.

Regarding independent claims 41-42, prior art of record do not teach the combination of the claimed elements including: “each clip includes information referencing time-based media data and a time range in the media data” and “in response to movement of the data file referenced by one of the clips, automatically relinking the clip to the moved data file that stores the time-based media data” as claimed.

Thus, prior art of record neither renders obvious nor anticipates the combination of claimed elements in light of the specification. After a further search and a thorough examination of the present application and in light of the prior art made of record, claims 1, 6, 11, 23, 35-42 are allowed. Dependent claims 2-5, 7-10, 12-22, 24-34 are allowed at least by virtue of their dependencies from pertinent independent claims.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (703) 308-7299. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


SPRAMA CHANDRAJALA
PRIMARY EXAMINER

Khanh B. Pham
Examiner
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KBP

July 23, 2004